

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Holly HOGREFE et al.)
Serial No.: 09/399,003) Group Art Unit: 1643
Filed: September 20, 1999) Examiner:

For: POLYMERASE ENHANCING FACTOR (PEF) EXTRACTS, PEF PROTEIN COMPLEXES, ISOLATED PEF PROTEIN AND METHODS FOR PURIFYING AND IDENTIFYING

Assistant Commissioner for Patents
Washington, D.C. 20231

Attention:

BOX MISSING PART

Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice To File Missing Parts dated October 12, 1999, enclosed is the Declaration and a copy of the Notice To File Missing Parts.

Also enclosed is a check in the amount of \$130.00 to cover the surcharge fee. Authorization is hereby given to charge any additional fees to our deposit account no. 06-0916.

Please associate this Declaration with the application as filed on September 20, 1999 and assigned serial number 09/399,003.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By:

Ernest F. Chapman
Ernest F. Chapman
Reg. No. 25,961

Dated: November 4, 1999
EFC/FPD/rgm
Enclosures

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

1300 I STREET, N.W.
WASHINGTON, DC 20005-3315

202 • 408 • 4000
FACSIMILE 202 • 408 • 4400

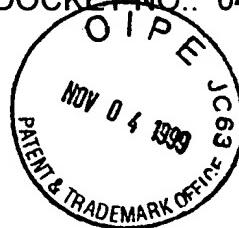
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650•849•6600

WRITER'S DIRECT DIAL NUMBER:

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ATTORNEY DOCKET NO.: 04121.0116-02

Office of Initial Patent Examination's
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Assistant Commissioner for Patents
Washington, D.C. 20231



U.S. Patent Application

Title: POLYMERASE ENHANCING FACTOR (PEF) EXTRACTS,
PROTEIN COMPLEXES, ISOLATED PEF PROTEIN AND METHODS
FOR PURIFYING AND IDENTIFYING

Inventor(s): Holly HOGREFE and Connie J. HANSEN

Serial No.: 09/399,003 Group Art Unit: 1643

Filed: September 20, 1999 Examiner:

Sir:

REQUEST FOR CORRECTED FILING RECEIPT

Enclosed is a copy of the Filing Receipt received from the U.S. Patent and Trademark Office. The following errors were found in the Filing Receipt:

The continuing application information is incorrect:

THIS APPLN IS A CON OF PCT/US98/05497 03/20/98
WHICH IS A CIP OF 08/957,709 10/24/97
WHICH IS A CIP OF 08/822,774 03/21/97

There are errors in the title. The correct title is "POLYMERASE
ENHANCING FACTOR (PEF) EXTRACTS, PEF PROTEIN
COMPLEXES, ISOLATED PEF PROTEIN AND METHODS FOR
PURIFYING AND IDENTIFYING"

The errors have been highlighted on the enclosed copy and the correct
information is shown in ink adjacent the erroneous information.

We request a corrected Filing Receipt as soon as possible.

RECEIVED
PCT/US98/05497
NOV 30 1999
MAIL ROOM

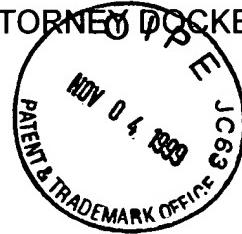
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NOV 29 1999

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

ATTORNEY DOCKET NO.: 04121.0116-02

Office of Initial Patent Examination's
Customer Service Center



If there are any fees due in connection with the filing of this request, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By:


Ernest F. Chapman
Reg. No. 25,961

Dated: November 4, 1999

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FILING RECEIPT



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UNITED STATES GOVERNMENT OF COMMERCE
Patent and Trademark Office
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OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/399,003	09/20/99	1643	\$3,738.00	04121.0116-02	45	106	18

FINNEGAN HENDERSON FARABOW
GARRETT & DUNNER LLP
1300 I STREET NW
WASHINGTON DC 20005-3315

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) HOLLY HOGREFE, SAN DIEGO, CA; CONNIE J. HANSEN,
SAN DIEGO, CA.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A CIP OF 08/957,709 10/24/97
WHICH IS A CIP OF 08/822,774 03/21/97

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 10/07/99
TITLE ENHANCING FACTOR (PEF)

POLYMERASE ENHANCING FACT PEF EXTRACTS, PEF PROTEIN COMPLEXES,
ISOLATED PEF PROTEIN, AND METHODS FOR PURIFYING AND IDENTIFYING

PRELIMINARY CLASS: 435

THIS APPLN IS A CON OF PCT/US98/05497 - 03/20/98

WHICH IS A CIP OF 08/957,709 - 10/24/97

WHICH IS A CIP OF 08/822,774 - OCT 22 1997
03/21/97

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OCT 29 1999

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OCT 20 1999

FINNEGAN, HENDERSON, FARABOW,
GARRETT AND DUNNER, LLP

DATA ENTRY BY: GENTRY, CHRISTINE TEAM: 01 DATE: 10/07/99



(See reverse for new important information)

OCT 21 1999 RMA



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAME APPLICANT	ATTORNEY DOCKET NO/TITLE
09/399,003	09/20/99	HOGREFE	H 04121,0116-0
			NOV 04 1999 PATENT & TRADEMARK OFFICE U.S. DEPARTMENT OF COMMERCE
	0212/1012		NOT ASSIGNED
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP 1300 I STREET NW WASHINGTON DC 20005-2215			

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1:136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
 small entity (statement filed) non-small entity is \$ 130

1. The statutory basic filing fee is:
 missing.

insufficient.
Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- 2 The following additional claims fees are due:

for total claims over 20

for independent claims over 3

for multiple dependent claim surcharge

- Applicant must either su**

The oath or declaration:

is missing or unsigned.

does not cover the newly submitted items.
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- 5 The signature of the following is required: _____

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- 6 A \$50.00 processing fee is required since your check is being cashed. Please make checks payable to U.S. PATENT & TRADEMARK OFFICE.

6. A \$50.00 processing fee is required since your check was returned without payment.

7. Your filing receipt was mailed in error because your check
 8. The application was filed in a timely manner after the filing deadline

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

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Initial Patent Examination Division (703) 308-1202